

DENTAL QUALITY ASSURANCE COMMISSION
FRIDAY, September 20, 2002
Commission Business Minutes
Claremont Hotel
Seattle, WA
(Subject to Commission Approval)

Members Present:

George McIntyre, DDS	Ernest Barrett, DDS, Chair
John Davis, DDS, JD	Marshall Titus, DDS
Laurie Fan, DDS	Bernard Nelson, Public Member
Theresa Cheng, DDS	Russell B. Timms, DDS
Abdul Alkezweeny, Ph.D, Public Member	Robin Reinke, DDS, Vice-Chair
Mark Paxton, DDS	Pramod K. Sinha, DDS
Mark Koday, DDS	

Members Absent:

Lorin Peterson, DDS – a.m. only

Staff Present:

Lisa Anderson, Health Services Consultant	Gail Zimmerman, Executive Director
Lisa Gast, Administrative Assistant	Melissa Hartley, Staff Attorney
Kim Dinsmore, Program Representative	Elyette Weinstein, Staff Attorney
Mark Brevard, Assistant Attorney General	

Others Present:

Coleen Gaylord, RDH, Washington State Dental Hygienists Association

In accordance with the Open Public Meetings Act, notices were mailed to individuals requesting notification of the Commission meetings.

OPEN SESSION

1. CALL TO ORDER- *Ernest Barrett, DDS, Chair*

The September 20, 2002 business meeting of the Dental Quality Assurance Commission was called to order by Ernest Barrett, DDS, Chair, at 8:05 a.m. at the Claremont Hotel, Seattle, Washington

1.1 Approval of Agenda

The Agenda was approved with the addition of the following items:

- 1.3 August 29, 2002 Below Threshold Closures
- 7.2 Letter from George B. Marsh re: Teeth whitening-Interpretive Statements
- 8.3 Letter of thanks dated September 16, 2002 from Ernest Barrett, Chair, Dental Quality Assurance Commission, on behalf of the Commission, to James C. Steiner, DDS, Acting Dean, University of Washington School of Dentistry.
- 8.4 Letter dated September 16, 2002 from Ernest Barrett, Chair, Dental Quality Assurance Commission, on behalf of the Commission, to Martha J. Somerman, DDS, Dean, University of Washington School of Dentistry welcoming her as the new dean and inviting her to attend a Dental Commission meeting. A copy of the 2003 schedule was also sent and is attached.
- 8.5 Letter dated September 13, 2002 from Brenda Brewer to Lisa Anderson requesting clarification from the Commission on the following:
 - 1. Can a dental assistant can place lynol (tissue conditioning)?
 - 2. Can a dental assistant in a denture adjustment situation paste-up, insert, push down, bring it to the doctor in another room, he evaluate, the assistant take it downstairs for the lab to adjust and then the doctor come in and do the final insertion?
- 10.8 Article from the Spokane Living magazine, July-August 2002 issue re: In search of the perfect smile.
- 10.9 Letter to Nick Beamer from Thomas H. Morton Jr., DDS, MSD, Associate Dean for Student and Academic Services, University of Washington, provided by Bernard Nelson, Public Member, Dental Quality Assurance Commission re: approval of UW School of Dentistry's grant proposal for a Robert Wood Johnson Foundation Pipeline, Profession & Practice: Community-Based Dental Education grant.

1.2 Approval of the August 8-9, 2002 Meeting Minutes

The August 8-9, 2002 meeting minutes were approved as submitted.

1.3 Approval of August 29, 2002 below threshold closures

The minutes for the August 29, 2002 below threshold closures were approved as submitted.

1.4 Introductions of new Commission member Pramod K. Sinha, DDS.

Dr. Barrett introduced new Commission member Pramod K. Sinha, DDS from Spokane. Dr. Sinha, an orthodontist, was appointed by Governor Locke on July 1, 2002 to replace former Commission member Daryl Miller, DDS and will serve until June 30, 2006.

2. PROGRAM REPORT, EXECUTIVE DIRECTOR, ASSISTANT ATTORNEY GENERAL- *Lisa Anderson, Health Services Consultant, Gail Zimmerman, Executive Director, Mark Brevard, AAG*

2.1 Budget Report-Interim Operating Reports for June/July 2002

This was provided to the members of the Commission for their information and review.

2.2 2003 Meeting Dates-Final

This was provided to the members of the Commission for their information and review. Meeting dates were finalized for January 16-18, March 6-8, April 24-26, June 5-7, July 31-August 2, September 11-13, October 16-18, and December 4-6

2.3 Washington Physicians Health Program Statistics for July 2002

This was provided to the members of the Commission for their information and review

2.4 AADE/Northeast Regional Examining Board (NERB)/ Dental Simulated Clinical Exercise (DSCE)- John Davis, DDS, JD

Dr. Davis requested that staff contact the AADE to obtain detailed information regarding the exams that are being offered.

3. STAFF/COMMISSION MEMBER REPORTS

3.1 Subcommittee Updates/Discussions

There were no updates at this time.

3.2 Mark Paxton, DDS-Presentation re: Nerve injury following inferior alveolar injection.

Dr. Paxton provided the Commission with a packet of information to review. Dr. Paxton outlined different types of nerve injuries that can occur during dental procedures and took questions from the Commission.

4. WESTERN REGIONAL EXAM BOARD (WREB)-

4.1 WREB Update

There was nothing new to report at this time.

4.2 Meeting minutes from the Board of Directors, Dental and Dental Hygiene Exam Review Committee meetings which took place in Park City, Utah July 17-18, 2002.

This was provided to the members of the Commission for their information and review.

4.3 Professional Background Information Services (PBIS)-Press Release

This was provided to the members of the Commission for their information and review

4.4 Memo dated August 29, 2002 from Linda Paul, Executive Director re: 2003 Dental Exam Site Preference

This was provided to the members of the Commission for their information and review.

5. CENTRAL REGIONAL DENTAL TESTING SERVICE (CRDTS)

5.1 CRDTS Update

Robin Reinke, DDS presented highlights of the meeting of the Exam Review Committee which took place in Kansas City, Missouri on August 23, 2003. Minutes will be distributed at the October 2002 meeting of the Commission.

6. AMERICAN DENTAL ASSOCIATION (ADA)/ AMERICAN ASSOCIATION OF DENTAL EXAMINERS (AADE)/ AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS (AADA), DENTAL ASSISTING NATIONAL BOARD (DANB)

6.1 ADA-CERP Update-Recognition Standards & Procedures-April 2002; Provider Newsletter-July 2002; List of Recognized Providers-Spring 2002; CE Course Information Form; Instructions for Completing Course Information Report Form.

This was provided to the members of the Commission for their information and review.

7. POLICIES/ INTERPRETIVE STATEMENTS, OPINIONS

Any interpretive statement issued by the Commission is advisory and intended for the guidance of the requesting parties only. The interpretive statement is not legally binding and does not have the force and effect of a duly promulgated regulation or declaratory ruling by the Commission.

7.1 Request for the Dental Commission's opinion on companies/individuals offering teeth whitening services. Is this the practice of dentistry?

The Commission received a request from the Unlicensed Practice staff of the Investigative Services Unit and correspondence from George B. Marsh, Attorney at Law, regarding companies/individuals offering teeth whitening services. Mark Brevard, AAG Advisor to the Commission stated that he would address this issue with the Unlicensed Practice staff. The Commission reviewed the correspondence from Mr. Marsh and expressed concerns regarding infection control standards, "final fit" of the molds fabricated by the business owners, and the strength of the bleaching solutions being dispensed and the potential for tissue damage or gingival infection to the buyer by misuse and ill fit of the mold. The Commission did not issue an interpretive statement but asked staff to prepare a response which outlined the concerns expressed and provide copies of the WAC's and RCW's that apply.

Staff will prepare a response for the Chair's approval and provide a copy to the Commission at the October meeting.

8. CORRESPONDENCE

8.1 Letter dated August 16, 2002 to Carol Lewis, Health Administrator, Health Professions Quality Assurance from David Hemion, Assistant Executive Director, Washington State Dental Association re: concerns/request for revisions of WAC 246-816-010 to 246-819-990, to implement SSB 6020.

This was provided to the members of the Commission for their information and review.

- 8.2 Letter dated August 21, 2002 from Michelle Mayo, Clinics Manager, Cottage Lake Family Dentistry to Lisa Anderson, responding to Ms. Anderson's letter dated July 31, 2002 (copy attached), regarding the "luma lite" light curing bleaching system.**

The Commission reviewed the correspondence from Ms. Mayo and noted that she mentions that the strength of the bleaching solution is 35%. The Commission requested that staff respond back with a copy of the interpretive statement regarding who can administer 35% solution in a dental office.

Staff will respond and provide a copy of the response at the October meeting of the Commission.

- 8.3 Letter of thanks dated September 16, 2002 from Ernest Barrett, Chair, Dental Quality Assurance Commission, on behalf of the Commission, to James C. Steiner, DDS, Acting Dean, University of Washington School of Dentistry.**

This was provided to the members of the Commission for their information and review.

- 8.4 Letter dated September 16, 2002 from Ernest Barrett, Chair, Dental Quality Assurance Commission, on behalf of the Commission, to Martha J. Somerman, DDS, Dean, University of Washington School of Dentistry welcoming her as the new dean and inviting her to attend a Dental Commission meeting. A copy of the 2003 schedule was also sent.**

This was provided to the members of the Commission for their information and review.

- 8.5 Letter dated September 13, 2002 from Brenda Brewer to Lisa Anderson requesting clarification from the Commission on the following:**

- 1. Can a dental assistant place lynol (tissue conditioning)?**

The Commission determined that only a licensed dentist should place lynol.

- 2. Can a dental assistant in a denture adjustment situation paste-up, insert, push down, bring it to the doctor in another room, he evaluate, the assistant take it downstairs for the lab to adjust and then the doctor come in and do the final insertion?**

Yes. The Commission determined that a dental assistant can perform the duties outlined, but may not do any adjustments.

Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the agenda and placed on the regular business agenda.

9. CONSENT AGENDA

9.1 Department of Health News Release-August 12, 2002

This was provided to the members of the Commission for their information and review.

9.2 E-mail dated August 13, 2002 and August 07, 2002 re: NY State Dental Practice Change.

This was provided to the members of the Commission for their information and review.

9.3 Letter dated August 26, 2002 from Sue Shoblom, Director, Health Professions Quality Assurance to All Boards, Commissions, and Committee Members re: Board, Commission and Committee Conference, October 3, 2002 at the Department of Health Conference Center at Center Point, Kent, Washington.

Ernest Barrett, DDS and Abdul Alkezweeny, PhD, Public Member stated that they would represent the Commission at this conference.

10. NEWSLETTERS/FYI ARTICLES

10.1 Academy of Laser Dentistry (ALD)-News Release-Tenth Anniversary Annual Conference and Exhibition, March 5-8, 2003 in Destin, Florida.

10.2 Minnesota Board of Dentistry-Updates- Volume 18, No. 2 Summer 2002

10.3 The Dental Digest-Mississippi State Board of Dental Examiners-Volume 7, July 2002.

10.4 Letter printed in the ADA News, May 20, 2002-"Taking Charge", by Richard J. Bravman, DMD.

10.5 Pennsylvania State Board of Dentistry Newsletter-Summer 2002

10.6 Arizona State Board of Dental Examiners Newsletter-August 2002

10.7 News release from the Spokane Regional Health District dated August 28, 2002 re: Doctors Join Dentists in Fight Against Dental Disease-Innovative ABCD Program Trains Physicians to Apply Fluoride Varnish.

- 10.8 Article from the Spokane Living magazine, July-August 2002 issue re: In search of the perfect smile.**
- 10.9 Letter to Nick Beamer from Thomas H. Morton Jr., DDS, MSD, Associate Dean for Student and Academic Services, University of Washington, provided by Bernard Nelson, Public Member, Dental Quality Assurance Commission re: approval of UW School of Dentistry's grant proposal for a Robert Wood Johnson Foundation Pipeline, Profession & Practice: Community-Based Dental Education grant**

The above listed newsletters and articles were accepted as presented.

CLOSED SESSION

11. EXECUTIVE SESSION-

The term "executive session" is commonly understood to mean that part of a regular or special meeting of the governing body that is closed to the public. A governing body may hold an executive session only for specified purposes, which are identified in RCW 42.30.220(1)(a)-(k), and only during a regular or special meeting.

The Commission may go into executive session to discuss issues that are appropriate to be handled in closed session such as personnel issues or to obtain legal advice.

12. FUTURE COMMISSION BUSINESS

The Commission requested that the House of Delegates policy on amalgam and metal waste be put on the October agenda.

13. BUSINESS MEETING ADJOURNMENT

The business meeting adjourned at 9:35 a.m.

Respectfully Submitted By:

Lisa Gast, Administrative Assistant

Commission Approval By:

Ernest Barrett, DDS, Chair